



# STATE OF TENNESSEE WAIVER REQUEST

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## **Waiver Subject:**

Annual Performance Measures

## **Statutory and Regulatory Requirement:**

The Tennessee Department of Labor and Workforce Development (TDLWD) as the administrative entity of Title I, Title III, Adult Education—including Trade Adjustment Assistance, Senior Community Service Employment Program and Migrant Farm Worker Programs is requesting a waiver on the regulatory requirements set forth in WIOA related to the implementation and operations of the performance accountability system under Section 116 of WIOA and the implementation joint regulations in 20 CFR Part 677 and 34 CFR Parts 361 and 463, TEGL 6-17; TEGL 6-17 and TEGL9-17..

## **Background:**

The State of Tennessee as evidenced in the State Combined Plan has restructured the local service delivery operation statewide. The changes implemented are as follows: Restricting Local Workforce Development Boards (LWDBs) from delivering direct participant services; strengthening the roles and responsibilities of the Chief Elected Officials; procuring service operators for the American Job Centers (AJC); co-locating core partners in the Comprehensive American Job Centers and functionally aligning AJC staff responsibilities based on services provided by the AJC. The past two years has provided opportunity for all workforce stakeholders in Tennessee to learn about their roles and responsibilities while managing the day-to-day operation of the workforce delivery system.

With the intent of continuously improving the service delivery, the State Workforce Development Board (SWDB) is moving to the next phase of alignment. The SWDB is intending to realign the thirteen Local Workforce Development Areas (LWDAs) with the nine base camps administered by the Tennessee Department of Economic and Community Development. These nine base camps were created as a result of Governor's listening tour with business in the state. The base camps are hubs for existing businesses statewide and the alignment of workforce development services with these camps will highlight the capacity of the AJCs to supply the workforce needs of businesses in the area. It will also give AJCs opportunity to develop strong relationship with businesses and community colleges including technical education facilities to design training programs that responds to the talent the business community needs.



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These changes and alignments are expected to affect performance measure negotiated in 2016 between LWDA's and the State and the Tennessee's negotiated levels with United States Department of Labor (USDOL). The TDLWD is currently in the process of collecting data and information about the effects of the alignment on customers. These changes may require procurement of One-Stop Operators and staff changes.

The requested two year extension will provide the TDLWD time to evaluate the delivery system and to collect sufficient data to set goals for the delivery system based on data collected. At the same time, TDLWD will monitor the workforce system and provide technical assistance as needed and continue to report on a quarterly bases the results required by USDOL. Historically, service providers have been reluctant to serve priority populations due to not meeting the performance measures set under the Workforce Investment Act.

The two year extension will provide TDLWD a chance to strongly emphasize services to priority populations without local focus on meeting performance levels. The results of the data collected at the end of 2019 will enable the state to evaluate the results and be in a better position when negotiating expected performance levels for each LWDA and ultimately the State's negotiating level with the USDOL. This waiver request will allow the State to evaluate the true effectiveness and capacity of the workforce system, while providing high quality services to our hardest to serve populations. In addition, the data collected will help the state develop cross program performance metrics and monitoring to measure progress towards reaching each LWDA's performance benchmarks.

## **Waiver Request:**

Request to allow Tennessee an extension for reporting the annual performance measures for Title I and Title III programs through Program Year 2020.

## **Reason for Request:**

The two year extension will provide TDLWD a chance to strongly emphasize services to priority populations without local focus on meeting performance levels.

## **Actions Undertaken to Remove State or Local Statutory or Regulator Barriers:**

Currently, no state or local statutory or regulatory barriers exist. The State of Tennessee regulation and policy statements are in compliance with current federal law.



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## **Goals and Outcomes:**

Goals and outcomes related to this waiver request include:

- Development of effective policies that encompasses core partners services and improve the performance outcomes.
- Provide technical assistance and staff training that provides knowledge about performance measures and motivates each core partner to strive for effective and better performance outcomes.
- Development of strong relationship with core partners that in turn will help all partners meet expected performance levels.
- Increase the number of services to priority populations that may take a longer time to be counted in the performance measures due their long term need of workforce services.
- Set goals for each service provider regarding services to priority populations based on the needs in the local area.

## **Individuals impacted by the Waiver:**

This waiver will impact all LWDBs and service providers who must meet a certain level of performance outcome the state will impose at the end of 2020.

## **Monitoring Progress and Implementation:**

The Virtual One Stop data collection system (VOS) will be used to monitor the progress the delivery system makes on a daily basis in particular the co-enrollment of participants from entry to service closure date.

## **Notice to Local Boards and Public Comments:**

This waiver is requested after discussions with all stake holders in specific with LWDBs. This waiver request is posted on TDLWD's website for comment and review by required parties and the general public.